

**TUESDAY, MAY 27, 2003**  
**FORTY-FIFTH LEGISLATIVE DAY**

**CALL TO ORDER**

The Senate met at 5:00 p.m., and was called to order by Mr. Speaker Wilder.

**PRAYER**

The proceedings were opened with prayer by Dr. Ron Buck of First Christian Church in Rockwood, Tennessee, a guest of Senator Kilby.

**PLEDGE OF ALLEGIANCE**

Senator Kilby led the Senate in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present . . . . . 33

Senators present were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--33.

**STANDING COMMITTEE REPORTS**

**FINANCE, WAYS AND MEANS**

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 397 with amendment, 440, 518 with amendment, 634, 675 with amendment, 690 with amendment, 887 with amendment, 896 with amendment, 920 with amendment, 998 with amendment, 1570 and 1834.

HENRY, Chairperson  
May 27, 2003

The Speaker announced that he had referred Senate Bills Nos. 397 with amendment, 440, 518 with amendment, 634, 675 with amendment, 690 with amendment, 887 with amendment, 896 with amendment, 920 with amendment, 998 with amendment, 1570 and 1834 to Committee on Calendar.

**JUDICIARY**

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: Senate Bill No. 1559 with amendment; and House Joint Resolution No. 445 with amendment.

PERSON, Chairperson  
May 27, 2003

The Speaker announced that he had referred Senate Bill No. 1559 with amendment; and House Joint Resolution No. 445 with amendment to Committee on Calendar.

### **INTRODUCTION OF BILLS**

The Speaker announced that the following bills were filed for introduction and passed first consideration:

**Senate Bill No. 2046** by Senator Cooper.

Centertown -- Subject to local approval, changes election date and renames governing body to be Board of Mayor and Aldermen. Amends Chapter 606 of the Private Acts of 1951.

**Senate Bill No. 2047** by Senators Crutchfield and Fowler.

Hamilton County -- Subject to local approval, revises Hamilton County Department of Education Insurance and Pension Fund Employees' Retirement Act. Amends Chapter 689 of the Private Acts of 1937; as amended.

**Senate Bill No. 2048** by Senators Crutchfield and Fowler.

Hamilton County -- Revises the Hamilton County Employees' Retirement Act. Amends Chapter 557 of the Private Acts of 1939; as amended.

**Senate Bill No. 2049** by Senator Miller.

Bradley County -- Subject to local approval, increases hotel/motel tax from 4 percent to 5 percent and revises allocation formula. Amends Chapter 19 of the Private Acts of 1991.

### **HOUSE BILLS ON FIRST CONSIDERATION**

The Speaker announced that the following House Bills were transmitted to the Senate and passed first consideration:

**House Bill No. 809** -- Taxes, Exemption -- Redefines "industrial machinery" for sales and use tax purposes to include certain research and development machinery; exempts such machinery from sales tax. Amends TCA Title 67.

**House Bill No. 876** -- Sentencing -- Enhances from Class C to Class B felony Schedule II controlled substance, methamphetamine, if it is manufactured on government property, place open to public, or in multi-family dwelling and requires defendant to pay restitution incurred for cost of cleaning area where offense occurred. Amends TCA Title 39, Chapter 17, Part 4 and Title 40, Chapter 35.

**House Bill No. 896** -- Transportation, Dept. of -- Requires department to develop guidelines for municipal tourism/wayfinding informational signage programs; requires commissioner to report progress to transportation committees in January 2004. Amends TCA Title 4, Chapter 3, Part 23 and Title 54.

**House Bill No. 1359** -- Bond Issues -- Authorizes issuance of bonds to fund state projects.

**House Bill No. 1494** -- Sunset Laws -- Tennessee higher education commission, June 30, 2009. Amends TCA Title 4, Chapter 29 and Title 49, Chapter 7.

**House Bill No. 1498** -- Sunset Laws -- Tennessee student assistance corporation, board of directors, June 30, 2009. Amends TCA Title 4, Chapter 29 and Title 49, Chapter 4.

**House Bill No. 1530** -- Boards and Commissions -- Creates Tennessee commission on Indian affairs. Amends TCA Title 4.

**House Bill No. 2107** -- Bonds and Undertakings, Regulation of -- Revises Convention Center and Tourism Development Financing Act of 1998 to authorize municipality to enter into structured lease agreement under certain conditions. Amends TCA Title 7, Chapter 88.

**House Bill No. 2123** -- Maryville -- Subject to local approval, authorizes hotel/motel tax in amount not to exceed two and one-half percent of consideration charged by operator of hotel.

**House Bill No. 2124** -- Alcoa -- Subject to local approval, authorizes hotel/motel tax in amount not to exceed two and one-half percent of consideration charged by operator of hotel.

**House Bill No. 2125** -- Rutherford County -- Subject to local approval, creates human resources department.

### **SENATE BILLS ON SECOND CONSIDERATION**

The Speaker announced that the following bills passed second consideration and were referred to the appropriate committee:

**Senate Bill No. 2044** held on desk.

**Senate Bill No. 2045** held on desk.

### **INTRODUCTION OF RESOLUTIONS**

The Speaker announced the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

**Senate Joint Resolution No. 548** by Senator Clabough.

Memorials, Academic Achievement -- Grae A. Hinds, Valedictorian, Heritage High School.

**Senate Joint Resolution No. 549** by Senator Clabough.

Memorials, Academic Achievement -- Sarah Rae Strunk, Salutatorian, Maryville High School.

**Senate Joint Resolution No. 550** by Senator Clabough.

Memorials, Academic Achievement -- Bradley Mark Colquitt, Valedictorian, Maryville High School.

**Senate Joint Resolution No. 551** by Senator Clabough.

Memorials, Academic Achievement -- Jesse Meiers, Salutatorian, Heritage High School.

**Senate Joint Resolution No. 552** by Senator Clabough.

Memorials, Academic Achievement -- Koral Stache, Salutatorian, Alcoa High School.

**Senate Joint Resolution No. 553** by Senator Clabough.

Memorials, Academic Achievement -- Stacy Honabach, Valedictorian, Alcoa High School.

**Senate Joint Resolution No. 554** by Senator Clabough.

Memorials, Academic Achievement -- Heather Rachelle Dockins, Salutatorian, William Blount High School.

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**Senate Joint Resolution No. 555** by Senator Clabough.

Memorials, Academic Achievement -- Ashley Lorraine Kissick, Valedictorian, William Blount High School.

**Senate Joint Resolution No. 556** by Senator Clabough.

Memorials, Academic Achievement -- Ashley Suzette Goins, Salutatorian, Heritage High School.

**Senate Joint Resolution No. 557** by Senator Clabough.

Memorials, Academic Achievement -- Brent Baxley, Salutatorian, Seymour High School.

**Senate Joint Resolution No. 558** by Senator Clabough.

Memorials, Academic Achievement -- Karie Thomas, Valedictorian, Seymour High School.

**Senate Joint Resolution No. 559** by Senator Herron.

Memorials, Sports -- Kendall Cavin, Class AA Miss Basketball.

**Senate Joint Resolution No. 560** by Senator Herron.

Memorials, Academic Achievement -- Rachel Reagan, Valedictorian, Dresden High School.

**Senate Joint Resolution No. 561** by Senator Herron.

Memorials, Academic Achievement -- Katie Atnip, Valedictorian, Greenfield High School.

**Senate Joint Resolution No. 562** by Senator Herron.

Memorials, Death -- Leon Tittle.

**Senate Joint Resolution No. 563** by Senator Herron.

Memorials, Academic Achievement -- Kate Leeann Moore, Salutatorian, Dresden High School.

**Senate Joint Resolution No. 564** by Senator Cooper.

Memorials, Academic Achievement -- Joseph T. Muncey, Valedictorian, Calvary Christian School.

**Senate Joint Resolution No. 565** by Senator Cooper.

Memorials, Academic Achievement -- Allison L. Schmidt, Valedictorian, Tullahoma High School.

**Senate Joint Resolution No. 566** by Senator Herron.

General Assembly, Adjournment -- Adjourns 2003 session of the 103rd General Assembly on Wednesday, May 28, 2003.

**Senate Joint Resolution No. 567** by Senator Herron.

Memorials, Academic Achievement -- David Brandon McCall, Salutatorian, Greenfield High School.

**Senate Joint Resolution No. 568** by Senator Herron.

Memorials, Academic Achievement -- Chase Espy, Salutatorian, Obion High School.

**Senate Joint Resolution No. 569** by Senator Herron.

Memorials, Academic Achievement -- Matthew Craig Gordon, Valedictorian, Westview High School.

**Senate Joint Resolution No. 570** by Senator Herron.

Memorials, Academic Achievement -- Jill Konkol, Valedictorian, Obion County Central High School.

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**Senate Joint Resolution No. 571** by Senator Herron.

Memorials, Academic Achievement -- Ronald Peckham, Salutatorian, Westview High School.

**Senate Joint Resolution No. 572** by Senator Herron.

Memorials, Academic Achievement -- Gregory Chase Richardson, Salutatorian, Perry County High School.

**Senate Joint Resolution No. 573** by Senator Herron.

Memorials, Academic Achievement -- Nicholas Ray Simmons, Valedictorian, Perry County High School.

**Senate Joint Resolution No. 574** by Senator Clabough.

Memorials, Academic Achievement -- Anna Marie Smith, Salutatorian, Pigeon Forge High School.

**Senate Joint Resolution No. 575** by Senator Clabough.

Memorials, Academic Achievement -- Kandyce Paquette, Valedictorian, Pigeon Forge High School.

**Senate Joint Resolution No. 576** by Senator Clabough.

Memorials, Academic Achievement -- G. Jacob Sutherland, Valedictorian, Pigeon Forge High School.

**Senate Joint Resolution No. 577** by Senator Clabough.

Memorials, Academic Achievement -- Michelle Martin, Valedictorian, Pigeon Forge High School.

**Senate Joint Resolution No. 578** by Senator Clabough.

Memorials, Academic Achievement -- Rebekah Manis, Salutatorian, Pigeon Forge High School.

**Senate Joint Resolution No. 579** by Senator Person.

General Assembly, Studies -- Creates a special joint committee to study communications security.

**Senate Joint Resolution No. 580** by Mr. Speaker Wilder.

Memorials, Congratulations -- Honors THDA for performance as Tennessee's lead housing agency.

**Senate Joint Resolution No. 581** by Senator Kilby.

Memorials, Academic Achievement -- Amanda June Blakley, Valedictorian, Oneida High School.

**Senate Joint Resolution No. 582** by Senator Kilby.

Memorials, Academic Achievement -- Adam Christopher Cross, Valedictorian, Oneida High School.

**Senate Joint Resolution No. 583** by Senator Kilby.

Memorials, Academic Achievement -- Catherine Lay, Salutatorian, Oneida High School.

**Senate Joint Resolution No. 584** by Senator Kilby.

Memorials, Academic Achievement -- Andrew Lowe, Valedictorian, Oneida High School.

**Senate Joint Resolution No. 585** by Senator Clabough.

Memorials, Academic Achievement -- Audrey Calkins, Valedictorian, Sevier County High School.

**Senate Joint Resolution No. 586** by Senator Clabough.

Memorials, Academic Achievement -- Chasity Gibbs, Valedictorian, Sevier County High School.

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**Senate Joint Resolution No. 587** by Senator Clabough.

Memorials, Academic Achievement -- Matthew Vodraska, Valedictorian, Sevier County High School.

**Senate Joint Resolution No. 588** by Senator Clabough.

Memorials, Academic Achievement -- Ellen Laura Ramsden, Salutatorian, Gatlingburg-Pittman High School.

**Senate Joint Resolution No. 589** by Senator Clabough.

Memorials, Academic Achievement -- Laura Arnold, Valedictorian, Sevier County High School.

**Senate Joint Resolution No. 590** by Senator Clabough.

Memorials, Academic Achievement -- Margaret Jesse McElrath, Valedictorian, Sevier County High School.

**Senate Joint Resolution No. 591** by Senator Clabough.

Memorials, Academic Achievement -- Charles McKinley Caylor, Salutatorian, Sevier County High School.

**Senate Joint Resolution No. 592** by Senator Clabough.

Memorials, Academic Achievement -- Stacey Tarver, Valedictorian, Gatlinburg-Pittman High School.

**Senate Joint Resolution No. 593** by Senator Clabough.

Memorials, Academic Achievement -- Emily Shay Phillips, Valedictorian, Gatlinburg-Pittman High School.

**Senate Joint Resolution No. 594** by Senator Clabough.

Memorials, Academic Achievement -- Devon Castillo, Salutatorian, Sevier County High School.

**Senate Joint Resolution No. 595** by Senator Cooper.

Memorials, Academic Achievement -- Leslie Ray "Tater" Higdon, Salutatorian, Sequatchie High School.

**Senate Joint Resolution No. 596** by Senator Cooper.

Memorials, Academic Achievement -- Laura Elizabeth Aldrich, Valedictorian, Sequatchie County High School.

**Senate Joint Resolution No. 597** by Senator Haynes.

Memorials, Professional Achievement -- Nossi College of Art, 30th Anniversary.

**Senate Joint Resolution No. 598** by Senator Ketron.

Memorials, Death -- Lawson "Wayne" White.

**Senate Joint Resolution No. 599** by Senator Miller.

Memorials, Public Service -- Nathan James.

**Senate Resolution No. 97** by Senator Person.

General Assembly, Studies -- Creates special committee to study communications security and theft of communication services.

**Senate Resolution No. 98** by Senator Harper.

Memorials, Retirement -- Reverend A. G. Jones.

**Senate Resolution No. 99** by Senator Kurita.  
Memorials, Interns -- Jennifer Ogg.

**Senate Resolution No. 100** by Senator Crutchfield.  
Memorials, Interns -- Joanna Koplan.

**Senate Resolution No. 101** by Senator McNally.  
Memorials, Public Service -- Graham and Gigi Shafer.

**Senate Resolution No. 102** by Senator Person.  
Memorials, Interns -- Daniel W. Everson.

**RESOLUTIONS LYING OVER**

**House Joint Resolution No. 75** -- General Assembly, Studies -- Creates special joint study committee to review Tennessee Board of Education rules and regulations regarding intellectually gifted students.

The Speaker announced that he had referred House Joint Resolution No. 75 to Committee on Education.

**House Joint Resolution No. 262** -- Highway Signs -- Names bridge on S.R. 33 in New Tazewell "Lt. George S. Brooks Memorial Bridge".

The Speaker announced that he had referred House Joint Resolution No. 262 to Committee on Transportation.

**House Joint Resolution No. 530** -- Memorials, Congress -- Urges reauthorization of Surface Mining Control and Reclamation Act through 2016; urges reappropriation of reclamation funds to Office of Mining.

The Speaker announced that he had referred House Joint Resolution No. 530 to Committee on Finance, Ways and Means.

**House Joint Resolution No. 542** -- General Assembly, Statement of Intent or Position -- Urges Department of Environment and Conservation to approve building of trails at Meeman Shelby State Park Forest and to provide detailed explanation of reasons if approval is not given.

The Speaker announced that he had referred House Joint Resolution No. 542 to Committee on Environment, Conservation and Tourism.

**House Joint Resolution No. 543** -- Memorials, Recognition -- Honors and thanks President George W. Bush and men and women of United States Armed Forces who served during Operation Iraqi Freedom.

The Speaker announced that he had referred House Joint Resolution No. 543 to Committee on Calendar.

**House Joint Resolution No. 628** -- Memorials, Retirement -- Robert E. "Bobby" Timmons, Jr.

The Speaker announced that he had referred House Joint Resolution No. 628 to Committee on Calendar.

**House Joint Resolution No. 629** -- Memorials, Interns -- Michael Brandon Baggett.

The Speaker announced that he had referred House Joint Resolution No. 629 to Committee on Calendar.

**House Joint Resolution No. 630** -- Memorials, Congratulations -- Robin Manning.

The Speaker announced that he had referred House Joint Resolution No. 630 to Committee on Calendar.

**House Joint Resolution No. 631** -- Memorials, Congratulations -- Ashton Dominique Haun, Dream Angels Little Miss Easter.

The Speaker announced that he had referred House Joint Resolution No. 631 to Committee on Calendar.

**House Joint Resolution No. 632** -- Memorials, Professional Achievement -- Grant Hardin, East Tennessee Historical Society Special Award of Distinction.

The Speaker announced that he had referred House Joint Resolution No. 632 to Committee on Calendar.

**House Joint Resolution No. 633** -- Memorials, Personal Occasion -- Mr. And Mrs. Aubrey Ensor, 50th wedding anniversary.

The Speaker announced that he had referred House Joint Resolution No. 633 to Committee on Calendar.

**House Joint Resolution No. 634** -- Memorials, Personal Occasion -- Martin and Ruby Bennett, 50th anniversary.

The Speaker announced that he had referred House Joint Resolution No. 634 to Committee on Calendar.

**House Joint Resolution No. 635** -- Memorials, Professional Achievement -- Staff Sergeant Alex W. Murray, Cargo Aircraft Technician of the Year Award.

The Speaker announced that he had referred House Joint Resolution No. 635 to Committee on Calendar.

**House Joint Resolution No. 637** -- Memorials, Death -- Curtis Selle.

The Speaker announced that he had referred House Joint Resolution No. 637 to Committee on Calendar.

**Senate Joint Resolution No. 539** -- Memorials, Public Service -- Randy C. Camp, Commissioner of Personnel.



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The Speaker announced that he had referred Senate Joint Resolution No. 539 to Committee on Calendar.

**Senate Joint Resolution No. 540** -- Memorials, Academic Achievement -- Amy Russ, Valedictorian, Scott High School.

The Speaker announced that he had referred Senate Joint Resolution No. 540 to Committee on Calendar.

**Senate Joint Resolution No. 541** -- Memorials, Academic Achievement -- David Morgan, Valedictorian, Central High School.

The Speaker announced that he had referred Senate Joint Resolution No. 541 to Committee on Calendar.

**Senate Joint Resolution No. 542** -- Memorials, Academic Achievement -- Sarah Pierce, Salutatorian, Central High School.

The Speaker announced that he had referred Senate Joint Resolution No. 542 to Committee on Calendar.

**Senate Joint Resolution No. 543** -- Memorials, Academic Achievement -- Jason Harville, Co-Valedictorian, Sequatchie County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 543 to Committee on Calendar.

**Senate Joint Resolution No. 544** -- Memorials, Academic Achievement -- Bethany Basham, Co-Valedictorian, Sequatchie County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 544 to Committee on Calendar.

**Senate Joint Resolution No. 546** -- Memorials, Academic Achievement -- Amanda Brooke Henry, Co-Valedictorian, Sequatchie County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 546 to Committee on Calendar.

**Senate Joint Resolution No. 547** -- Memorials, Academic Achievement -- Ashley Hopkins, Co-Valedictorian, Sequatchie County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 547 to Committee on Calendar.

### **REFERRAL**

Senator Person moved that the rules be suspended for the purpose of referring **Senate Joint Resolution No. 579** and **Senate Resolution No. 97** to the Committee on Judiciary, which motion prevailed.

**MOTION**

Senator Person moved that Rule 83 be suspended for the purpose of allowing the Committee on Judiciary to meet immediately after session to consider **Senate Joint Resolution No. 579** and **Senate Resolution No. 97**, which motion prevailed.

**RECALL OF BILL**

Senator Crutchfield moved that **House Bill No. 1286** be recalled from the House, which motion prevailed.

**MOTION**

Senator Crowe moved that Rules 37 and 38 be suspended for the purpose of allowing all bills passing out of Standing Committees Tuesday, May 27, 2003 and Wednesday, May 28, 2003, and all memorializing resolutions be placed on the calendar for Wednesday, May 28, 2003, which motion prevailed.

**MOTION**

Senator Henry moved that Rule 83(8) be suspended for the purpose of allowing any bills passing out of other standing committees and referred to the Committee on Finance, Ways and Means be placed on the calendar for the Committee on Finance, Ways and Means immediately, which motion prevailed.

**MOTION**

Senator Henry moved that the rules be suspended for the purpose of changing the Schedule to allow the Committee on Finance, Ways and Means to meet at 9:30 a.m., Wednesday, May 28, 2003, which motion prevailed.

**CONSENT CALENDAR NO. 1**

**House Joint Resolution No. 583** -- Memorials, Academic Achievement -- Shauna Elizabeth Baird, graduation.

**House Joint Resolution No. 584** -- Memorials, Academic Achievement -- Susan Catherine Fox, 2003 graduate, Nashville School of the Arts.

**House Joint Resolution No. 585** -- Memorials, Personal Achievement -- Prentiss Elizabeth Cawein, Outstanding Young Woman of Memphis and Shelby County.

**House Joint Resolution No. 586** -- Memorials, Professional Achievement -- Jack Looney, Friends of Farmers Award.

**House Joint Resolution No. 587** -- Memorials, Professional Achievement -- Ernest Neal, Friends of Farmers Award.

**House Joint Resolution No. 588** -- Memorials, Retirement -- Dr. Thomas King Campbell.

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**House Joint Resolution No. 589** -- Memorials, Academic Achievement -- Barton Williams, Valedictorian, Covington High School.

**House Joint Resolution No. 590** -- Memorials, Retirement -- George T. Whitley, Publisher/Manager Covington Leader Newspaper.

**House Joint Resolution No. 591** -- Memorials, Death -- Charlie Warren.

**House Joint Resolution No. 592** -- Memorials, Personal Occasion -- Elizabeth Brizendine, 100th birthday and Strawberry Parade Grand Marshal.

**House Joint Resolution No. 593** -- Memorials, Interns -- Matthew A. Hood.

**House Joint Resolution No. 594** -- Memorials, Retirement -- Dr. Donald Carson.

**House Joint Resolution No. 595** -- Memorials, Public Service -- Union County Rescue Squad, 40th anniversary.

**House Joint Resolution No. 596** -- Memorials, Interns -- John Lankford.

**House Joint Resolution No. 598** -- Memorials, Recognition -- Eddie George.

**House Joint Resolution No. 599** -- Memorials, Personal Occasion -- Elsa R. McMullen, 91st birthday.

**House Joint Resolution No. 600** -- Memorials, Congratulations -- General Shale, 75th anniversary.

**House Joint Resolution No. 601** -- Memorials, Death -- Terry McGill.

**House Joint Resolution No. 602** -- Memorials, Academic Achievement -- David Vermillion, Valedictorian, Greenback High School.

**House Joint Resolution No. 603** -- Memorials, Academic Achievement -- Stephen McQueen, Salutatorian, Greenback High School.

**House Joint Resolution No. 604** -- Memorials, Academic Achievement -- Brent McNew, Valedictorian, Loudon High School.

**House Joint Resolution No. 605** -- Memorials, Death -- Eugene Joyce.

**House Joint Resolution No. 606** -- Memorials, Academic Achievement -- Emily Stafford, Salutatorian, Loudon High School.

**House Joint Resolution No. 607** -- Memorials, Academic Achievement -- Elizabeth Fowler, Valedictorian, Sequoyah High School.

**House Joint Resolution No. 608** -- Memorials, Academic Achievement -- Melissa Davis, Salutatorian, Sequoyah High School.

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**House Joint Resolution No. 609** -- Memorials, Academic Achievement -- Rachel Sheri Salsbury, Valedictorian, Sweetwater High School.

**House Joint Resolution No. 610** -- Memorials, Academic Achievement -- Benjamin Andrew Evans, Salutatorian, Sweetwater High School.

**House Joint Resolution No. 611** -- Memorials, Academic Achievement -- Mica Jenkins, Valedictorian, Lenoir City High School.

**House Joint Resolution No. 612** -- Memorials, Academic Achievement -- Sarah Kathryn Boone, Salutatorian, Tellico Plains High School.

**House Joint Resolution No. 613** -- Memorials, Academic Achievement -- Lindsey Erin Stinson, Valedictorian, Tellico Plains High School.

**House Joint Resolution No. 614** -- Memorials, Congratulations -- Steve and Denise Smith, Marty Warren, and All-American Ritz.

**House Joint Resolution No. 615** -- Memorials, Retirement -- Paul and Dorothy Powers.

**House Joint Resolution No. 616** -- Memorials, Public Service -- Odell Baker.

**House Joint Resolution No. 617** -- Memorials, Retirement -- Sydney C. "Bud" McGrew.

**House Joint Resolution No. 618** -- Memorials, Retirement -- Barbara Vannatta.

**House Joint Resolution No. 619** -- Memorials, Death -- Minnie Blanch Snow.

**House Joint Resolution No. 620** -- Memorials, Professional Achievement -- David Scott.

**House Joint Resolution No. 621** -- Memorials, Recognition -- Goats, Music & More Festival, Lewisburg.

**House Joint Resolution No. 623** -- Memorials, Interns -- Katy Cunningham.

**House Joint Resolution No. 624** -- Memorials, Interns -- John Shoaf.

**House Joint Resolution No. 626** -- Memorials, Academic Achievement -- Jordan Michael Humphreys, Salutatorian, Midway High School.

**Senate Joint Resolution No. 482** -- Memorials, Academic Achievement -- Matt Wood, Salutatorian, Scotts Hill High School.

**Senate Joint Resolution No. 483** -- Memorials, Academic Achievement -- Bianca Brasher, Valedictorian, Scotts Hill High School.

**Senate Joint Resolution No. 484** -- Memorials, Interns -- Michael Braden Holton.

**Senate Joint Resolution No. 485** -- Memorials, Retirement -- Billy Mayfield.

**Senate Joint Resolution No. 486** -- Memorials, Professional Achievement -- Gibson County Utility District, 50th anniversary.

**Senate Joint Resolution No. 487** -- Memorials, Academic Achievement -- Robin Campbell, Valedictorian, Campbell County High School.

**Senate Joint Resolution No. 488** -- Memorials, Academic Achievement -- Tiffany Boshears, Valedictorian, Campbell County High School.

**Senate Joint Resolution No. 489** -- Memorials, Academic Achievement -- Falin Gantz, Salutatorian, Campbell County High School.

**Senate Joint Resolution No. 490** -- Memorials, Academic Achievement -- Kristin Gunter, Valedictorian, Central High School.

**Senate Joint Resolution No. 491** -- Memorials, Academic Achievement -- Alison Pearl Thomas, Salutatorian, Scott High School.

**Senate Joint Resolution No. 492** -- Memorials, Academic Achievement -- Chancie Miller, Valedictorian, Central High School.

**Senate Joint Resolution No. 493** -- Memorials, Academic Achievement -- Tosha Jeffers, Valedictorian, Sunbright School.

**Senate Joint Resolution No. 494** -- Memorials, Academic Achievement -- Katelan Bridges, Salutatorian, Clarkrange High School.

**Senate Joint Resolution No. 495** -- Memorials, Academic Achievement -- Shawna Smith, Salutatorian, Clarkrange High School.

**Senate Joint Resolution No. 496** -- Memorials, Academic Achievement -- Savanna Kennedy, Valedictorian, Campbell County High School.

**Senate Joint Resolution No. 497** -- Memorials, Academic Achievement -- Donita Dawn Seiber, Valedictorian, Central High School.

**Senate Joint Resolution No. 498** -- Memorials, Academic Achievement -- Jennifer Lee Brown, Salutatorian, Campbell County High School.

**Senate Joint Resolution No. 499** -- Memorials, Academic Achievement -- Jennifer Price, Salutatorian, Scott High School.

**Senate Joint Resolution No. 500** -- Memorials, Academic Achievement -- Angela Rebecca Shears, Valedictorian, Campbell County High School.

**Senate Joint Resolution No. 501** -- Memorials, Academic Achievement -- Ashleigh Asbury, Valedictorian, Campbell County High School.

**Senate Joint Resolution No. 502** -- Memorials, Academic Achievement -- Heather Bunch, Valedictorian, Central High School.

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**Senate Joint Resolution No. 503** -- Memorials, Academic Achievement -- Amanda Joan Gipson, Valedictorian, Campbell County High School.

**Senate Joint Resolution No. 504** -- Memorials, Academic Achievement -- Natalie Hunley, Valedictorian, Campbell County High School.

**Senate Joint Resolution No. 505** -- Memorials, Academic Achievement -- Emily Smithers, Valedictorian, Campbell County High School.

**Senate Joint Resolution No. 506** -- Memorials, Academic Achievement -- Douglas Melton, Valedictorian, Sunbright High School.

**Senate Joint Resolution No. 507** -- Memorials, Academic Achievement -- Jessica Clear, Valedictorian, Campbell County High School.

**Senate Joint Resolution No. 508** -- Memorials, Academic Achievement -- Benjamin Heath, Valedictorian, Campbell County High School.

**Senate Joint Resolution No. 509** -- Memorials, Academic Achievement -- Amy LeeAnn Sexton, Salutatorian, Scott High School.

**Senate Joint Resolution No. 510** -- Memorials, Academic Achievement -- Kodi Kamille Morris, Valedictorian, Campbell County High School.

**Senate Joint Resolution No. 511** -- Memorials, Academic Achievement -- Deanna Danielle Apple, Valedictorian, Jackson County High School.

**Senate Joint Resolution No. 512** -- Memorials, Academic Achievement -- Tracy Nicole Davis, Salutatorian, Jackson County High School.

**Senate Joint Resolution No. 513** -- Memorials, Academic Achievement -- Wei-Han Bobby Liu, Valedictorian, Cookeville High School.

**Senate Joint Resolution No. 514** -- Memorials, Academic Achievement -- Suman Natarajan, Salutatorian, Cookeville High School.

**Senate Joint Resolution No. 515** -- Memorials, Academic Achievement -- Seth Chadwell, Valedictorian, Cumberland County High School.

**Senate Joint Resolution No. 516** -- Memorials, Academic Achievement -- Ray Stone, Salutatorian, Cumberland County High School.

**Senate Joint Resolution No. 517** -- Memorials, Academic Achievement -- Melissa Esper, Salutatorian, Pickett County High School.

**Senate Joint Resolution No. 518** -- Memorials, Academic Achievement -- Mica McCratic, Valedictorian, Pickett County High School.

**Senate Joint Resolution No. 519** -- Memorials, Academic Achievement -- Kayla Elizabeth Garrison, Valedictorian, Monterey High School.

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**Senate Joint Resolution No. 520** -- Memorials, Academic Achievement -- Lindsey Nicole Verble, Salutatorian, Monterey High School.

**Senate Joint Resolution No. 521** -- Memorials, Academic Achievement -- Garrett Cleveland Lewis, Valedictorian, Upperman High School.

**Senate Joint Resolution No. 522** -- Memorials, Academic Achievement -- Matthew John-James Uhles, Salutatorian, Upperman High School.

**Senate Joint Resolution No. 523** -- Memorials, Academic Achievement -- Chad Steven Marcum, Valedictorian, White County High School.

**Senate Joint Resolution No. 524** -- Memorials, Academic Achievement -- Melissa Gale Turley, Salutatorian, White County High School.

**Senate Joint Resolution No. 527** -- Memorials, Public Service -- Guy Nicholson.

**Senate Joint Resolution No. 528** -- Memorials, Academic Achievement -- Britney Hoosier, Co-Valedictorian, Franklin County High School.

**Senate Joint Resolution No. 529** -- Memorials, Academic Achievement -- Carol Elaine Girata, Co-Valedictorian, Franklin County High School.

**Senate Joint Resolution No. 530** -- Memorials, Academic Achievement -- Maggie Kristin Hodges, Co-Valedictorian, Franklin County High School.

**Senate Joint Resolution No. 531** -- Memorials, Academic Achievement -- Celina Cavett, Valedictorian, Franklin County High School.

**Senate Joint Resolution No. 532** -- Memorials, Academic Achievement -- Katherine F. Hayes, Co-Valedictorian, Franklin County High School.

**Senate Joint Resolution No. 533** -- Memorials, Academic Achievement -- Mary Catherine Baker, Co-Valedictorian, Franklin County High School.

**Senate Joint Resolution No. 534** -- Memorials, Academic Achievement -- Angela Barnes, Co-Valedictorian, Franklin County High School.

**Senate Joint Resolution No. 535** -- Memorials, Academic Achievement -- Kasie Rae Luttrell, Co-Valedictorian, Franklin County High School.

**Senate Joint Resolution No. 536** -- Memorials, Academic Achievement -- Kady Amundson, Co-Valedictorian, Franklin County High School.

**Senate Joint Resolution No. 539** -- Memorials, Public Service -- Randy C. Camp, Commissioner of Personnel.

**Senate Joint Resolution No. 540** -- Memorials, Academic Achievement -- Amy Russ, Valedictorian, Scott High School.

**Senate Joint Resolution No. 541** -- Memorials, Academic Achievement -- David Morgan, Valedictorian, Central High School.

**Senate Joint Resolution No. 542** -- Memorials, Academic Achievement -- Sarah Pierce, Salutatorian, Central High School.

**Senate Joint Resolution No. 543** -- Memorials, Academic Achievement -- Jason Harville, Co-Valedictorian, Sequatchie County High School.

**Senate Joint Resolution No. 544** -- Memorials, Academic Achievement -- Bethany Basham, Co-Valedictorian, Sequatchie County High School.

**Senate Joint Resolution No. 545** -- Memorials, Academic Achievement -- Lydia Clendenen, Co-Valedictorian, Sequatchie County High School.

**Senate Resolution No. 94** -- Memorials, Heroism -- Emmett Ledbetter.

**Senate Resolution No. 95** -- Memorials, Recognition -- Feed the Children, Assistance to Victims of Jackson Tornado.

**Senate Resolution No. 96** -- Memorials, Public Service -- Jose Gutierrez.

Senator Crowe moved that all Senate Joint Resolutions and Senate Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes . . . . .	32
Noes . . . . .	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--32.

A motion to reconsider was tabled.

### **CONSENT CALENDAR NO. 2**

**House Joint Resolution No. 61** -- Naming and Designating -- "The Ralph A. Brewer Administration Building" at Tennessee School for Blind.

**House Joint Resolution No. 485** -- General Assembly, Directed Studies -- Requests state board of education to study grading policies in LEAs and report to 103rd General Assembly.

**Senate Bill No. 249** -- Hospitals and Health Care Facilities -- Extends limit on certificates of need for Medicare skilled nursing facility beds to 125 per year through June 30, 2005. Amends TCA Title 68, Chapter 11, Part 16.

On motion, Senate Bill No. 249 was made to conform with **House Bill No. 1261**.

On motion, House Bill No. 1261, on same subject, was substituted for Senate Bill No. 249.

**Senate Bill No. 731** -- Mental Retardation -- Authorizes sale of unused property of state developmental centers with deposit of proceeds in special trust fund earmarked for purposes of planning and developing mental retardation services. Amends TCA Title 12, Chapter 2.



On motion, Senate Bill No. 731 was made to conform with **House Bill No. 1252**.

On motion, House Bill No. 1252, on same subject, was substituted for Senate Bill No. 731.

**Senate Bill No. 947** -- Sunset Laws -- Northwest community service agency, June 30, 2005. Amends TCA Title 4, Chapter 29 and Title 37, Chapter 5.

On motion, Senate Bill No. 947 was made to conform with **House Bill No. 1543**.

On motion, House Bill No. 1543, on same subject, was substituted for Senate Bill No. 947.

**Senate Bill No. 948** -- Sunset Laws -- Southwest community service agency, June 30, 2005. Amends TCA Title 4, Chapter 29 and Title 37, Chapter 5.

On motion, Senate Bill No. 948 was made to conform with **House Bill No. 1517**.

On motion, House Bill No. 1517, on same subject, was substituted for Senate Bill No. 948.

**Senate Bill No. 952** -- Taxes, Ad Valorem -- Requires in Shelby County that county legislative body administer county board of equalization and any municipality appointing county board members pay members it appoints. Amends TCA Section 67-1-401.

**Senate Bill No. 1467** -- Sunset Laws -- Shelby County community service agency, June 30, 2005. Amends TCA Title 4, Chapter 29 and Title 37, Chapter 5.

On motion, Senate Bill No. 1467 was made to conform with **House Bill No. 1538**.

On motion, House Bill No. 1538, on same subject, was substituted for Senate Bill No. 1467.

**Senate Bill No. 1649** -- Sunset Laws -- Families first advisory council, June 30, 2009. Amends TCA Title 4, Chapter 29 and Title 71, Chapter 3.

On motion, Senate Bill No. 1649 was made to conform with **House Bill No. 1501**.

On motion, House Bill No. 1501, on same subject, was substituted for Senate Bill No. 1649.

**Senate Bill No. 1781** -- Driver Licenses -- Prohibits acceptance of matricula consular cards for identification purposes. Amends TCA Section 55-50-321.

On motion, Senate Bill No. 1781 was made to conform with **House Bill No. 1705**.

On motion, House Bill No. 1705, on same subject, was substituted for Senate Bill No. 1781.

**Senate Bill No. 2001** -- Sunset Laws -- Regional transportation authority, June 30, 2009. Amends TCA Title 4, Chapter 29 and Title 64, Chapter 8.

**Senate Bill No. 2002** -- Sunset Laws -- Interstate corrections compact, June 30, 2009. Amends TCA Title 4, Chapter 29 and Title 41, Chapter 23.

On motion, Senate Bill No. 2002 was made to conform with **House Bill No. 1970**.

On motion, House Bill No. 1970, on same subject, was substituted for Senate Bill No. 2002.

**Senate Bill No. 2021** -- Bonds and Undertakings, Regulation of -- Revises Convention Center and Tourism Development Financing Act of 1998 to authorize municipality to enter into structured lease agreement under certain conditions. Amends TCA Title 7, Chapter 88.

On motion, Senate Bill No. 2021 was made to conform with **House Bill No. 2107**.

On motion, House Bill No. 2107, on same subject, was substituted for Senate Bill No. 2021.

Senator Crowe moved that all House Joint Resolutions be concurred in; and all Senate Bills and House Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . . 32  
Noes . . . . . 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--32.

A motion to reconsider was tabled.

**LOCAL BILL**  
**CONSENT CALENDAR**

Objections having been raised, the following bill was placed at the heel of the calendar for Wednesday, May 28, 2003, pursuant to Rule 38: **Senate Bill No. 2030.**

**Senate Bill No. 2034** -- Bells -- Subject to local approval, creates office of vice mayor; provides for election and specifies duties. Amends Chapter 80 of the Private Acts of 1993.

On motion, Senate Bill No. 2034 was made to conform with **House Bill No. 2119.**

On motion, House Bill No. 2119, on same subject, was substituted for Senate Bill No. 2034.

**Senate Bill No. 2038** -- Monterey -- Subject to local approval, revises terms of office for board of aldermen and staggers terms. Amends Chapter 492 of the Acts of 1901; as amended.

On motion, Senate Bill No. 2038 was made to conform with **House Bill No. 2117.**

On motion, House Bill No. 2117, on same subject, was substituted for Senate Bill No. 2038.

**Senate Bill No. 2040** -- Maryville -- Subject to local approval, authorizes hotel/motel tax in amount not to exceed two and one-half percent of consideration charged by operator of hotel.

On motion, Senate Bill No. 2040 was made to conform with **House Bill No. 2123.**

On motion, House Bill No. 2123, on same subject, was substituted for Senate Bill No. 2040.

**Senate Bill No. 2041** -- Alcoa -- Subject to local approval, authorizes hotel/motel tax in amount not to exceed two and one-half percent of consideration charged by operator of hotel.

On motion, Senate Bill No. 2041 was made to conform with **House Bill No. 2124.**

On motion, House Bill No. 2124, on same subject, was substituted for Senate Bill No. 2041.

Senator Crowe moved that all House Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . . 32  
Noes . . . . . 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron,

Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--32.

A motion to reconsider was tabled.

**MESSAGE CALENDAR**

Senator Clabough moved that **House Bill No. 466** be placed at the heel of the message calendar, which motion prevailed.

**HOUSE BILL ON SENATE AMENDMENT**

**House Bill No. 1606** -- Handgun Permits -- Authorizes permit holders to operate under expired permit if application for renewal of such permit has been made to Department of Safety. Amends TCA Title 39, Chapter 17.

Senator Norris moved to lift from the table a motion to reconsider on **House Bill No. 1606**, which motion prevailed.

Senator Norris moved that the Senate reconsider its action in passing **House Bill No. 1606**, as amended, which motion prevailed.

Senator Norris moved that the Senate reconsider its action in adopting Amendment No. 1 to **House Bill No. 1606**, which motion prevailed.

Senator Norris moved that Amendment No. 1 to **House Bill No. 1606** be withdrawn, which motion prevailed.

Thereupon, **House Bill No. 1606** was repassed on third and final consideration by the following vote:

Ayes .....	31
Noes .....	0
Present, not voting . . .	1

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--31.

Senator present and not voting was: Cohen--1.

A motion to reconsider was tabled.

Senator Williams moved that **House Bill No. 1946** be placed on the calendar for Wednesday, May 28, 2003, which motion prevailed.

Senator Jackson moved that **Senate Bill No. 128** be moved two places down on the message calendar, which motion prevailed.

**SENATE BILL ON HOUSE AMENDMENT**

**Senate Bill No. 263** -- Hospitals and Health Care Facilities -- Requires Department of Health to establish data collection system on sepsis. Amends TCA Title 49; Title 63 and Title 68.

**HOUSE AMENDMENT NO. 1**

AMEND by deleting Section 68-1-2107 of the amendatory language of Section 1.

Senator Ford moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 263**, which motion prevailed by the following vote:

Ayes . . . . . 32  
Noes . . . . . 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--32.

A motion to reconsider was tabled.

#### SENATE BILL ON HOUSE AMENDMENT

**Senate Bill No. 128** -- Handgun Permits -- Provides that valid handgun permit issued in another state is valid in this state if issuing state also recognizes validity of Tennessee permits in issuing state. Amends TCA Title 39, Chapter 17, Part 13.

#### HOUSE AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-1351(r)(1), is amended by deleting subsection (r) in its entirety and by substituting instead the following:

(r)(1) A facially valid handgun permit, firearms permit, weapons permit or license issued by another state shall be valid in this state according to its terms and shall be treated as if it is a handgun permit issued by this state; provided, however, the provisions of this subsection shall not be construed to authorize the holder of any such out-of-state permit or license to carry, in this state, any firearm or weapon other than a handgun.

(2) For a person to lawfully carry a handgun in this state based upon a permit or license issued in another state, the person must be in possession of the permit or license at all times such person carries a handgun in this state.

(3)(A) The commissioner of safety shall enter into written reciprocity agreements with other states that require the execution of such agreements. The commissioner of safety shall prepare and publicly publish a current list of states honoring permits issued by the state of Tennessee and shall make the list available to anyone upon request. The commissioner of safety shall also prepare and publicly publish a current list of states who, after inquiry by the commissioner, refuse to enter into a reciprocity agreement with this state or honor handgun carry permits issued by this state. To the extent that any state may impose conditions in such reciprocity agreements, the commissioner of safety shall publish those conditions as part of the list. If another state imposes conditions on Tennessee permit holders in a reciprocity agreement, such conditions shall also become a part of the agreement and apply to the other state's permit holders when they carry a handgun in this state.

(B) If a person with a handgun permit from another state decides to become a resident of Tennessee, such person must obtain a Tennessee handgun permit within six (6) months of establishing

residency in Tennessee. Such permit may be issued based on the person having a permit from another state provided such other state has substantially similar permit eligibility requirements as this state. However, if during such six (6) month period the person applies for a handgun permit in this state and such application is denied, the person shall not be allowed to carry a handgun in this state based upon the other state's permit.

(C)(i) If a person who is a resident of and handgun permit holder in another state is employed in this state on a regular basis and desires to carry a handgun in this state, such person shall have six (6) months from the last day of the sixth month of regular employment in this state to obtain a Tennessee handgun carry permit. Such permit may be issued based on the person having a permit from another state provided such other state has substantially similar permit eligibility requirements as this state. However, if during such six (6) month period the person applies for a handgun permit in this state and such application is denied, the person shall not be allowed to carry a handgun in this state based upon the other state's permit.

(ii) The provisions of this subdivision shall not apply if the state of residence of the person employed in Tennessee has entered into a handgun permit reciprocity agreement with this state pursuant to this subsection.

(iii) As used in this subdivision, "employed in this state on a regular basis" means a person has been gainfully employed in this state for at least thirty (30) hours a week for six (6) consecutive months not counting any absence from employment caused by the employee's use of sick leave, annual leave, administrative leave or compensatory time.

SECTION 2. Tennessee Code Annotated, Section 39-17-1351, is further amended by deleting the first sentence of subsection (b) and substituting instead the language:

"Except as provided in subsection (r) of this section, any resident of Tennessee who has reached twenty-one years of age may apply to the Department of Safety for a handgun carry permit."

SECTION 3. This act shall take effect July 1, 2003, the public welfare requiring it.

Senator Jackson moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 128**, which motion prevailed by the following vote:

Ayes .....	32
Noes .....	0

Senators voting aye were: Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--32.

A motion to reconsider was tabled.

**SENATE BILL ON HOUSE AMENDMENT**

**Senate Bill No. 481** -- Victims' Rights -- Imposes additional \$200 fine upon persons convicted of certain sexual offenses for purpose of funding sexual assault program services; creates committee to advise and review proposal applications for sexual assault program services. Amends TCA Title 40, Chapter 24 and Title 71, Chapter 6.

**HOUSE AMENDMENT NO. 1**

AMEND by adding the following as a new section to precede the effective date section:

SECTION \_\_\_\_\_. The sexual assault advisory committee created by Section 71-6-303 shall terminate June 30, 2005, unless otherwise continued by the General Assembly.

Senator Burks moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 481**, which motion prevailed by the following vote:

Ayes ..... 33  
Noes ..... 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--33.

A motion to reconsider was tabled.

**SENATE BILL ON HOUSE AMENDMENT**

**Senate Bill No. 622** -- Divorce, Annulment and Alimony -- Permits courts discretion as to type of alimony awarded; establishes transitional alimony as type of alimony that may be awarded. Amends TCA Title 36, Chapter 5, Part 1.

**HOUSE AMENDMENT NO. 3**

AMEND by deleting the period "." at the end of the second sentence of Tennessee Code Annotated, 36-5-101(d)(1)(D), as amended by House Children and Family Affairs Committee amendment one, and substituting instead the following:

"and as provided in subdivision (a)(3), which provision shall apply to transitional alimony."

Senator Haynes moved that the Senate concur in House Amendment No. 3 to **Senate Bill No. 622**, which motion prevailed by the following vote:

Ayes ..... 31  
Noes ..... 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--31.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

**Senate Bill No. 751** -- Alcoholic Beverages -- Authorizes Black Creek Club in Chattanooga to sell alcoholic beverages for consumption on premises. Amends TCA Title 57, Chapter 4.

HOUSE AMENDMENT NO. 1

AMEND by adding before the effective date section the following new section and by renumbering the effective date section accordingly:

SECTION \_\_\_\_ Tennessee Code Annotated, Section 57-4-102(7), is amended by adding the following language as a new subdivision:

(J) "Club" also means a for-profit recreational club, organized and existing under the laws of the State of Tennessee, which is located in any county having a population of not less than one hundred thirty thousand (130,000) nor more than one hundred thirty-one thousand (131,000), according to the 2000 federal census or any subsequent federal census, and further possesses the following characteristics:

(i) The club shall be adjacent to a residential development consisting of at least one hundred (100) residential units, and the club property and such residential development shall consist of at least two hundred (200) acres;

(ii) The residential development shall be adjacent to a lake whose area is greater than twenty (20) acres;

(iii) The club shall be organized and operated to provide to its members, their guests, and others an eighteen-hole golf course and amenities provided by other similar clubs;

(iv) The club shall serve at least one (1) meal daily, five (5) days a week;

(v) The club shall have a clubhouse with not less than three thousand (3,000) square feet with suitable kitchen, dining facilities and equipment; and

(vi) The club shall not discriminate against any person on the basis of gender, race, religion or national origin.

Senator Crutchfield moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 751**, which motion prevailed by the following vote:

Ayes . . . . .	25
Noes . . . . .	4
Present, not voting . . .	1

Senators voting aye were: Atchley, Bryson, Burchett, Clabough, Cohen, Cooper, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Jackson, Ketron, Kurita, Kyle, McLeary, McNally, Miller, Person, Ramsey, Trail and Mr. Speaker Wilder--25.

Senators voting no were: Beavers, Burks, Herron and Southerland--4.

Senator present and not voting was: Kilby--1.

A motion to reconsider was tabled.

### SENATE BILL ON HOUSE AMENDMENT

**Senate Bill No. 792** -- Clerks, Court -- Transfers, effective by July 1, 2006, clerk functions of county clerk relative to probate matters to clerk of court that has probate jurisdiction or clerk and master. Amends TCA Title 16, Chapter 16 and Title 18, Chapter 6.

### HOUSE AMENDMENT NO. 2

AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. The provisions of this act shall not apply in any county having a population of not less than thirty-nine thousand fifty (39,050) nor more than thirty-nine thousand one hundred fifty (39,150) according to the 2000 federal census or any subsequent federal census.

Senator Person moved that the Senate concur in House Amendment No. 2 to **Senate Bill No. 792**, which motion prevailed by the following vote:

Ayes .....	32
Noes .....	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--32.

A motion to reconsider was tabled.

### HOUSE AMENDMENT NO. 5

AMEND by deleting the second sentence of subsection (a) of the amendatory language of Section 2 and substituting instead the following:

No later than July 1, 2006, in any county in which the county clerk is performing this function, the duties as to administration of estates and guardian appointments shall be vested in either the clerk of the court with probate jurisdiction or the clerk and master.

AND FURTHER AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. The provisions of this act shall not apply in any county having a population of not less than twelve thousand eight hundred (12,800) nor more than twelve thousand nine hundred (12,900) according to the 2000 federal census or any subsequent federal census. In any such county, the clerk who is serving as clerk of the court with probate jurisdiction on June 30, 2003, shall continue to serve as the clerk of the court with probate jurisdiction after the effective date of this act.



Senator Person moved that the Senate concur in House Amendment No. 5 to **Senate Bill No. 792**, which motion prevailed by the following vote:

Ayes . . . . . 33  
Noes . . . . . 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--33.

A motion to reconsider was tabled.

**HOUSE AMENDMENT NO. 6**

AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. The provisions of this act shall not apply in any county having a population of not less than forty-three thousand one hundred (43,100) nor more than forty-three thousand two hundred (43,200) according to the 2000 federal census or any subsequent federal census.

Senator Person moved that the Senate concur in House Amendment No. 6 to **Senate Bill No. 792**, which motion prevailed by the following vote:

Ayes . . . . . 32  
Noes . . . . . 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail and Mr. Speaker Wilder--32.

A motion to reconsider was tabled.

**HOUSE AMENDMENT NO. 7**

AMEND by designating the existing language of subsection (a) of the amendatory language of Section 2 as (a)(1) and by adding the following new subsection (a)(2):

(2) The provisions of this subsection shall not apply in any county having a population of not less than seventy-one thousand one hundred (71,100) nor more than seventy-one thousand two hundred (71,200) according to the 2000 federal census or any subsequent federal census. In any such county, the county clerk shall continue to serve as clerk of the court with probate jurisdiction and such clerk shall continue to exercise the same powers and duties as it exercised on June 30, 2003.

Senator Person moved that the Senate concur in House Amendment No. 7 to **Senate Bill No. 792**, which motion prevailed by the following vote:

Ayes ..... 33  
Noes ..... 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--33.

A motion to reconsider was tabled.

#### HOUSE AMENDMENT NO. 8

AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

Senator Person moved that the Senate concur in House Amendment No. 8 to **Senate Bill No. 792**, which motion prevailed by the following vote:

Ayes ..... 33  
Noes ..... 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--33.

A motion to reconsider was tabled.

#### SENATE BILL ON HOUSE AMENDMENT

**Senate Bill No. 1085** -- Computers and Electronic Processing -- Enacts "Tennessee Personal and Commercial Computer Act".

#### HOUSE AMENDMENT NO. 4

AMEND by adding at the end of the amendatory language of Section 3 the following new subdivision:

(d) Any person who violates this section in connection with an act of terrorism commits a Class A felony.

Senator Jackson moved that the Senate concur in House Amendment No. 4 to **Senate Bill No. 1085**, which motion prevailed by the following vote:

Ayes ..... 33  
Noes ..... 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--33.

A motion to reconsider was tabled.

Senator Clabough moved that **House Bill No. 466** be placed on the Message Calendar for Wednesday, May 28, 2003, which motion prevailed.

**CALENDAR**

**House Joint Resolution No. 189** -- General Assembly, Directed Studies -- Directs forestry commission to evaluate Southern Forest Resource Assessment relative to forest resource issues in Tennessee.

Senator Miller moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting the fourth resolving clause of the resolution as amended and by substituting instead the following language:

BE IT FURTHER RESOLVED, that the Forestry Commission and the Department of Agriculture are urged to submit their findings and recommendations relative to the SFRA by January 31, 2004, to the Governor, as well as the Chairs of the following committees of the General Assembly: Senate Commerce, Labor and Agriculture Committee, Senate Environment, Conservation and Tourism Committee, House Conservation and Environment Committee, and House Agriculture Committee; provided, however the Forestry Commission and the Department of Agriculture shall submit their findings and recommendations relative to the SFRA to the aforementioned parties no later than March 1, 2004.

On motion, the amendment was adopted by the following vote:

Ayes . . . . .	32
Noes . . . . .	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--32.

Thereupon, **House Joint Resolution No. 189**, as amended, was concurred in by the following vote:

Ayes . . . . .	31
Noes . . . . .	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron,

Kilby, Kurita, Kyle, McLeary, McNally, Miller, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--31.

A motion to reconsider was tabled.

Senator Haynes moved that **House Bill No. 1803** be placed on the calendar for Wednesday, May 28, 2003, which motion prevailed.

Senator Crowe moved that **Senate Joint Resolution No. 142** be rereferred to the Committee on Calendar, which motion prevailed.

**MR. SPEAKER WILDER RELINQUISHES CHAIR**

Mr. Speaker Wilder relinquished the Chair to Senator Graves as Speaker pro tempore.

**Senate Joint Resolution No. 214** -- Highway Signs -- Renames section of S.R. 43 within city limits of Martin "Skyhawk Parkway".

Senator Henry moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by adding the following prior to the last resolving clause of the printed resolution:

BE IT FURTHER RESOLVED, that this act shall become operative only if the cost of the erection of such signs is paid to the Department of Transportation from non-state funds within one (1) year of the effective date of this act. Such payment shall be made prior to any expenditure by the state for the manufacture or installation of such signs. The department shall return any unused portion of the estimated cost to the person or entity paying for such sign within thirty (30) days of the erection of such sign. If the actual cost exceeds the estimated cost, an amount equal to the difference in such costs shall be remitted to the department in non-state funds within thirty (30) days of receiving an itemized invoice of the actual cost from the department.

On motion, the amendment was adopted.

Thereupon, **Senate Joint Resolution No. 214**, as amended, was adopted by the following vote:

Ayes .....	32
Noes .....	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail and Williams--32.

A motion to reconsider was tabled.

**Senate Joint Resolution No. 241** -- Highway Signs -- "James Byrd Reed Memorial Bridge", S.R. 81 South bridge in Jonesborough, Washington County.

Senator Henry moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by adding the following language as a new resolving clause immediately after the third resolving clause of the introduced resolution:

BE IT FURTHER RESOLVED, that this resolution shall become operative only if the cost of the manufacture and installation of such signs is paid to the Department of Transportation from non-state funds within one (1) year of the effective date of this resolution. Such payment shall be made prior to any expenditure by the state for the manufacture or installation of such signs. The department shall return any unused portion of the estimated cost to the person or entity paying for such signs within thirty (30) days of the erection of such signs. If the actual cost exceeds the estimated cost, an amount equal to the difference in such costs shall be remitted to the department in non-state funds within thirty (30) days of the sponsoring person or entity receiving an itemized invoice of the actual cost from the department.

On motion, the amendment was adopted.

Thereupon, **Senate Joint Resolution No. 241**, as amended, was adopted by the following vote:

Ayes . . . . . 31  
Noes . . . . . 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail and Williams--31.

A motion to reconsider was tabled.

**Senate Joint Resolution No. 242** -- Highway Signs -- "Jason Jackson Bridge", U.S. Hwy. 43 in Lawrence County.

Senator Henry moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting the final resolving clause of the printed resolution and substituting the following:

BE IT FURTHER RESOLVED, that this act shall become operative only if the cost of the erection of such signs is paid to the Department of Transportation from non-state funds within one (1) year of the effective date of this act. Such payment shall be made prior to any expenditure by the state for the manufacture or installation of such signs. The department shall return any unused portion of the estimated cost to the person or entity paying for such sign within thirty (30) days of the erection of such sign. If the actual cost exceeds the estimated cost, an amount equal to the difference in such costs shall be remitted to the department in non-state funds within thirty (30) days of receiving an itemized invoice of the actual cost from the department.

BE IT FURTHER RESOLVED, that an appropriate copy of this resolution be prepared for presentation with the final five resolving clauses omitted from such copy.

On motion, the amendment was adopted.

Senator Jackson moved to amend as follows:

**AMENDMENT NO. 2**

AMEND by adding "Memorial" between the words "Jason Jackson" and "Bridge".

Pursuant to Rule 39(3), Amendment No. 2 was adopted by the following vote:

Ayes .....	32
Noes .....	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail and Williams--32.

Thereupon, **Senate Joint Resolution No. 242**, as amended, was adopted by the following vote:

Ayes .....	32
Noes .....	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail and Williams--32.

A motion to reconsider was tabled.

**Senate Bill No. 12** -- Courts -- Enacts "Drug Court Treatment Act of 2003". Amends TCA Title 16.

On motion, Senate Bill No. 12 was made to conform with **House Bill No. 1253**.

On motion, House Bill No. 1253, on same subject, was substituted for Senate Bill No. 12.

Senator Person moved that Amendment No. 1 be withdrawn, which motion prevailed.

Senator Person moved that Amendment No. 2 be withdrawn, which motion prevailed.

Thereupon, **House Bill No. 1253** passed its third and final consideration by the following vote:

Ayes .....	32
Noes .....	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail and Williams--32.

A motion to reconsider was tabled.

Senator Cooper moved that **Senate Bill No. 248** be placed at the heel of the calendar for today, which motion prevailed.

Senator Haynes moved that **Senate Bill No. 349** be rereferred to the Committee on Calendar, which motion prevailed.

Senator Jackson moved that **Senate Bill No. 518** be placed on the calendar for Wednesday, May 28, 2003, which motion prevailed.

**Senate Bill No. 704** -- Boards and Commissions -- Creates Tennessee commission on Indian affairs. Amends TCA Title 4.

On motion, Senate Bill No. 704 was made to conform with **House Bill No. 1530**.

On motion, House Bill No. 1530, on same subject, was substituted for Senate Bill No. 704.

Senator Harper moved that Amendment No. 1 be withdrawn, which motion prevailed.

Thereupon, **House Bill No. 1530** passed its third and final consideration by the following vote:

Ayes .....	32
Noes .....	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--32.

A motion to reconsider was tabled.

**Senate Bill No. 951** -- Taxes, Ad Valorem -- Permits taxpayer's duly authorized agent to make complaint before county board of equalization in Shelby County. Amends TCA Title 67.

Senator Henry moved to amend as follows:

#### AMENDMENT NO. 1

AMEND by deleting Section 1 of the printed bill and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-5-1409, is amended by adding the following as a new, appropriately designated subsection:

(c) In any county having a population greater than eight hundred ninety thousand (890,000) according to the 2000 federal census or any subsequent census, when meeting in special session, the board may act only on an assessment for which an active and timely filed appeal is pending.

Senator Henry moved to amend as follows:

**AMENDMENT NO. 1 TO AMENDMENT NO. 1**

AMEND by inserting the following language in subsection (c) of the amendatory language of Section 1 between the language "special session," and "the board":

except as otherwise determined by the county legislative body,

Pursuant to Rule 39(3), Amendment No. 1 to Amendment No. 1 was adopted by the following vote:

Ayes . . . . .	32
Noes . . . . .	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--32.

Thereupon, Amendment No. 1, as amended, was adopted.

Thereupon, **Senate Bill No. 951**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	32
Noes . . . . .	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--32.

A motion to reconsider was tabled.

**Senate Bill No. 1024** -- Education -- Increases from eight to 16 number of authorized alternative education programs; increases from \$50,000 to \$75,000 amount of grants to individual school systems for such programs. Amends TCA Title 49.

Senator Harper moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting all language after the enacting clause and by substituting instead the following:



SECTION 1. Tennessee Code Annotated, Section 49-5-5607, is amended by designating the existing language as subsection (a) and by adding the following language as a new subsection:

( ) Notwithstanding the provisions of subsection (a), the state board of education may continue to place on temporary probation any institution which has thirty percent (30%) or more of its students fail in two (2) consecutive years when there are fewer than ten (10) students taking any single initial licensing examination for a reporting year. In determining whether to continue temporary probation for an institution, the state board shall consider action taken by the teacher training institution to improve candidates' passage rate on state teachers' examinations.

SECTION 2 This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, the amendment was adopted.

Thereupon, **Senate Bill No. 1024**, as amended, passed its third and final consideration by the following vote:

Ayes ..... 30  
Noes ..... 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Graves, Harper, Haynes, Henry, Herron, Ketron, Kilby, Kurita, Kyle, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--30.

A motion to reconsider was tabled.

**Senate Bill No. 1025** -- Sunset Laws -- Davidson County community service agency, June 30, 2005. Amends TCA Title 4, Chapter 29 and Title 37, Chapter 5.

On motion, Senate Bill No. 1025 was made to conform with **House Bill No. 1548**.

On motion, House Bill No. 1548, on same subject, was substituted for Senate Bill No. 1025.

Senator Harper moved that Amendment No. 1 be withdrawn, which motion prevailed.

Thereupon, **House Bill No. 1548** passed its third and final consideration by the following vote:

Ayes ..... 30  
Noes ..... 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cooper, Crowe, Crutchfield, Dixon, Ford, Graves, Harper, Haynes, Henry, Herron, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--30.

A motion to reconsider was tabled.

**Senate Bill No. 1027** -- Sunset Laws -- Department of commerce and insurance, June 30, 2007. Amends TCA Title 4, Chapter 29.

On motion, Senate Bill No. 1027 was made to conform with **House Bill No. 1549**.

On motion, House Bill No. 1549, on same subject, was substituted for Senate Bill No. 1027.

Thereupon, **House Bill No. 1549** passed its third and final consideration by the following vote:

Ayes .....	32
Noes .....	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--32.

A motion to reconsider was tabled.

**Senate Bill No. 1035** -- Sunset Laws -- Mid-Cumberland community service agency, June 30, 2005. Amends TCA Title 4, Chapter 29 and Title 37, Chapter 5.

On motion, Senate Bill No. 1035 was made to conform with **House Bill No. 1505**.

On motion, House Bill No. 1505, on same subject, was substituted for Senate Bill No. 1035.

Senator Harper moved that Amendment No. 1 be withdrawn, which motion prevailed.

Thereupon, **House Bill No. 1505** passed its third and final consideration by the following vote:

Ayes .....	32
Noes .....	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--32.

A motion to reconsider was tabled.

**Senate Bill No. 1272** -- Sentencing -- Enhances from Class C to Class B felony Schedule II controlled substance, methamphetamine, if it is manufactured on government property, place open to public, or in multi-family dwelling and requires defendant to pay restitution incurred for cost of cleaning area where offense occurred. Amends TCA Title 39, Chapter 17, Part 4 and Title 40, Chapter 35.

Senator Person moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting the amendatory language of Section 1 in its entirety and substituting instead the following:

(B) As a part of any sentence imposed for a violation of subsection (a)(1) involving a controlled substance listed in § 39-17-408(d)(2), the court shall require the defendant to make restitution to any governmental entity for the costs reasonably incurred in cleaning the area in which the offense occurred and in rendering such area safe for human use.

On motion, the amendment was adopted.

Senator Person moved that the Senate reconsider its action in adopting Amendment No. 1 to **Senate Bill No. 1272**, which motion prevailed.

On motion, Senate Bill No. 1272 was made to conform with **House Bill No. 876**.

On motion, House Bill No. 876, on same subject, was substituted for Senate Bill No. 1272.

Senator Person moved that Amendment No. 1 be withdrawn, which motion prevailed.

Thereupon, **House Bill No. 876** passed its third and final consideration by the following vote:

Ayes .....	32
Noes .....	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail and Williams--32.

A motion to reconsider was tabled.

**Senate Bill No. 1371** -- Pharmacy, Pharmacists -- Enacts various reforms involving formularies relating to prescription drugs and their costs. Amends TCA Title 4; Title 8; Title 12; Title 41; Title 53; Title 56; Title 63; Title 68 and Title 71.

On motion, Senate Bill No. 1371 was made to conform with **House Bill No. 1650**.

On motion, House Bill No. 1650, on same subject, was substituted for Senate Bill No. 1371.

Senator Harper moved that Amendment No. 1 be withdrawn, which motion prevailed.

Senator Cooper moved that Amendment No. 2 be withdrawn, which motion prevailed.

Thereupon, **House Bill No. 1650** passed its third and final consideration by the following vote:

Ayes .....	33
Noes .....	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--33.

A motion to reconsider was tabled.

**Senate Bill No. 1470** -- Sunset Laws -- South central community service agency, June 30, 2005. Amends TCA Title 4, Chapter 29 and Title 37, Chapter 5.

On motion, Senate Bill No. 1470 was made to conform with **House Bill No. 1490**.

On motion, House Bill No. 1490, on same subject, was substituted for Senate Bill No. 1470.

Senator Harper moved that Amendment No. 1 be withdrawn, which motion prevailed.

Thereupon, **House Bill No. 1490** passed its third and final consideration by the following vote:

Ayes .....	31
Noes .....	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--31.

A motion to reconsider was tabled.

Senator Harper moved that **Senate Bill No. 1480** be placed on the calendar for Wednesday, May 28, 2003, which motion prevailed.

**Senate Bill No. 1485** -- Sunset Laws -- Upper Cumberland community service agency, June 30, 2005. Amends TCA Title 4, Chapter 29 and Title 37, Chapter 5.

On motion, Senate Bill No. 1485 was made to conform with **House Bill No. 1510**.

On motion, House Bill No. 1510, on same subject, was substituted for Senate Bill No. 1485.

Senator Harper moved that Amendment No. 1 be withdrawn, which motion prevailed.

Thereupon, **House Bill No. 1510** passed its third and final consideration by the following vote:

Ayes .....	30
Noes .....	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cooper, Crowe, Crutchfield, Dixon, Ford, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail and Williams--30.

A motion to reconsider was tabled.

**Senate Bill No. 1487** -- Sunset Laws -- Office of business enterprise, June 30, 2009. Amends TCA Title 4, Chapter 26 and Title 4, Chapter 29.

On motion, Senate Bill No. 1487 was made to conform with **House Bill No. 1504**.

On motion, House Bill No. 1504, on same subject, was substituted for Senate Bill No. 1487.

Senator Harper moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting Section 2 of the printed bill in its entirety and by substituting instead the following new language:

SECTION 2. Tennessee Code Annotated, Section 4-29-226(a), is amended by adding a new item thereto, as follows:

( ) Office of business enterprise, created by § 4-26-101;

On motion, the amendment was adopted.

Thereupon, **House Bill No. 1504**, as amended, passed its third and final consideration by the following vote:

Ayes .....	29
Noes .....	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Ketron, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail and Williams--29.

A motion to reconsider was tabled.

**MR. SPEAKER WILDER RESUMES CHAIR**

Mr. Speaker Wilder resumed the Chair.

**Senate Bill No. 1587** -- Traffic Safety -- Requires operators to move left, if safe, when approaching emergency vehicle, violation punishable as Class C misdemeanor. Amends TCA Title 55, Chapter 8, Part 1.

On motion, Senate Bill No. 1587 was made to conform with **House Bill No. 1023**.

On motion, House Bill No. 1023, on same subject, was substituted for Senate Bill No. 1587.

Senator Henry moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting Section 2 and substituting the following:

SECTION 2. This act shall take effect July 1, 2003, the public welfare requiring it, provided, however, that until July 1, 2004, only warning citations shall be issued for violations of Section 1 and the provisions of subsection (e) shall not be applicable until July 1, 2004.

On motion, the amendment was adopted.

Thereupon, **House Bill No. 1023**, as amended, passed its third and final consideration by the following vote:

Ayes .....	32
Noes .....	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--32.

A motion to reconsider was tabled.

**Senate Bill No. 1598** -- Contractors -- Removes exclusion from definition of contractor those persons constructing residences on private property for resale in certain counties. Amends TCA Section 62-6-102(3)(D)(I).

On motion, Senate Bill No. 1598 was made to conform with **House Bill No. 1**.

On motion, House Bill No. 1986, on same subject, was substituted for Senate Bill No. 1598.

Senator Cooper moved that Amendment No. 1 be withdrawn, which motion prevailed.

Senator Cooper moved that **House Bill No. 1986** be placed on the calendar for Wednesday, May 28, 2003, which motion prevailed.

**Senate Bill No. 1718** -- Bond Issues -- Authorizes issuance of bonds to fund state projects.

On motion, Senate Bill No. 1718 was made to conform with **House Bill No. 1359**.

On motion, House Bill No. 1359, on same subject, was substituted for Senate Bill No. 1718.

Senator Henry moved that Amendment No. 1 be withdrawn, which motion prevailed.

Thereupon, **House Bill No. 1359** passed its third and final consideration by the following vote:

Ayes .....	33
Noes .....	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--33.

A motion to reconsider was tabled.

**Senate Bill No. 1782** -- Election Laws -- Provides procedure for casting and counting provisional ballots; redefines "evidence of identification". Amends TCA Title 2, Chapter 5; Title 2, Chapter 6 and Title 2, Chapter 7.

On motion, Senate Bill No. 1782 was made to conform with **House Bill No. 1806**.

On motion, House Bill No. 1806, on same subject, was substituted for Senate Bill No. 1782.

Senator Henry moved that Amendment No. 1 be withdrawn, which motion prevailed.

Senator Haynes moved that **House Bill No. 1806** be placed on the calendar for Wednesday, May 28, 2003, which motion prevailed.

**Senate Bill No. 1812** -- Education, Higher -- Requires legislative confirmation of all appointed members of THEC, Tennessee board of regents and University of Tennessee board of trustees. Amends TCA Title 49, Chapter 7; Title 49, Chapter 8 and Title 49, Chapter 9.

Senator McNally moved to amend as follows:

#### AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 7, Part 2, is amended by adding the following as a new section:

Section 49-7-212. (a) By July 1, 2003, the commission shall establish and adopt a code of ethics that shall apply to and govern the conduct of all appointed members of the commission.

(b) Notwithstanding any other provision of law to the contrary, by a two-thirds (2/3) of its membership, the commission may remove any appointed member of the commission for a material violation of the code of ethics.

(c) A commission vote to remove one of its members shall only be taken after the accused member has been afforded a due process contested case hearing in accordance with the Tennessee Uniform Administrative Procedures Act, codified in Tennessee Code Annotated, Title 4, Chapter 5 and a finding has been made that the member did violate the commission's code of ethics.

(d) If a member is removed in accordance with this section, such position shall be considered vacant and the vacancy shall be filled as provided by law.

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 8, Part 2, is amended by adding the following as a new section:

Section 49-8-204. (a) By July 1, 2003, the board shall establish and adopt a code of ethics that shall apply to and govern the conduct of all appointed members of the board.

(b) Notwithstanding any other provision of law to the contrary, by a two-thirds (2/3) of its membership, the board may remove any appointed member of the board for a material violation of the code of ethics.

(c) A board vote to remove one of its members shall only be taken after the accused member has been afforded a due process contested case hearing in accordance with the Tennessee Uniform Administrative Procedures Act, codified in Tennessee Code Annotated, Title 4, Chapter 5 and a finding has been made that the member did violate the board's code of ethics.

(d) If a member is removed in accordance with this section, such position shall be considered vacant and the vacancy shall be filled as provided by law.

SECTION 3. Tennessee Code Annotated, Title 49, Chapter 9, Part 2, is amended by adding the following as a new section:

Section 49-9-210. (a) By July 1, 2003, the board shall establish and adopt a code of ethics that shall apply to and govern the conduct of all appointed members of the board.

(b) Notwithstanding any other provision of law to the contrary, by a two-thirds (2/3) of its membership, the board may remove any appointed member of the board for a material violation of the code of ethics.

(c) A board vote to remove one of its members shall only be taken after the accused member has been afforded a due process contested case hearing in accordance with the Tennessee Uniform Administrative Procedures Act, codified in Tennessee Code Annotated, Title 4, Chapter 5 and a finding has been made that the member did violate the board's code of ethics.

(d) If a member is removed in accordance with this section, such position shall be considered vacant and the vacancy shall be filled as provided by law.

(e) The provisions of this section shall be in addition to the prohibition against conflicts of interest by members of the board and possible punishment for violations set out in § 49-9-207.

SECTION 4. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following new section:

49-7-1\_\_\_\_. Notwithstanding the provisions of Section 8-36-714 to the contrary, upon mutual agreement between the Tennessee higher education commission and the University of Tennessee or Tennessee board of regents, as appropriate, an individual holding the title of "president emeritus" may apply service to the Tennessee



higher education commission toward fulfillment of such individual's obligations as president emeritus.

SECTION 5 This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, the amendment was adopted by the following vote:

Ayes .....	32
Noes .....	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--32.

Senator McNally moved to amend as follows:

**AMENDMENT NO. 2**

AMEND by deleting Section 5, as amended, and substituting the following:

SECTION 5. This act shall take effect January 1, 2004, the public welfare requiring it.

On motion, the amendment was adopted by the following vote:

Ayes .....	31
Noes .....	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crutchfield, Dixon, Ford, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--31.

Thereupon, **Senate Bill No. 1812**, as amended, passed its third and final consideration by the following vote:

Ayes .....	33
Noes .....	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--33.

A motion to reconsider was tabled.

**Senate Bill No. 1860** -- Basic Education Program (BEP) -- Authorizes certain units of local government to establish inner city educational enhancement pilot project; authorizes participation of certain school systems. Amends TCA Title 49, Chapter 1, Part 1 and Title 49, Chapter 1, Part 6.

On motion, Senate Bill No. 1860 was made to conform with **House Bill No. 1665**.

On motion, House Bill No. 1665, on same subject, was substituted for Senate Bill No. 1860.

Senator McNally moved that Amendment No. 1 be withdrawn, which motion prevailed.

Senator McNally moved to amend as follows:

**AMENDMENT NO. 2**

AMEND by deleting the words "the municipal school system" in the first and second lines of amendatory subdivision (h)(1) of Section 2 of the printed bill and substituting the words and figures "the two (2) school systems".

AND FURTHER AMEND in the sixth and seventh lines of amendatory subdivision (h)(1) of Section 2 of the printed bill by deleting the words "the municipal legislative body" and substituting the words "the appropriate local legislative body".

AND FURTHER AMEND in amendatory subdivision (h)(3) of Section 2 of the printed bill by deleting the second sentence in its entirety and substituting the following:

At the discretion of the appropriate local legislative body, incentive grants may be offered to such volunteers.

AND FURTHER AMEND in amendatory subdivision (h)(3) of Section 2 of the printed bill by deleting the word "municipal" in the third sentence and substituting the word "local".

On motion, the amendment was adopted by the following vote:

Ayes . . . . . 33  
Noes . . . . . 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--33.

Thereupon, **House Bill No. 1665**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . . 33  
Noes . . . . . 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--33.

A motion to reconsider was tabled.

Senator Henry moved that **House Bill No. 1469** be placed on the final calendar, which motion prevailed.

**Senate Bill No. 642** -- TennCare -- Revises Medicaid subrogation statute. Amends TCA Section 71-5-117.

On motion, Senate Bill No. 642 was made to conform with **House Bill No. 1341**.

On motion, House Bill No. 1341, on same subject, was substituted for Senate Bill No. 642.

Senator Ford moved that Amendment No. 1 be withdrawn, which motion prevailed.

Senator Ford moved that Amendment No. 2 be withdrawn, which motion prevailed.

Thereupon, **House Bill No. 1341** passed its third and final consideration by the following vote:

Ayes .....	33
Noes .....	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--33.

A motion to reconsider was tabled.

**Senate Bill No. 1858** -- Equalization Board -- Authorizes board to assess actual costs of hearing or processing appeal against any appellant not determined to be indigent. Amends Tennessee Code Annotated, Section 67-5-1501.

On motion, Senate Bill No. 1858 was made to conform with **House Bill No. 1895**.

On motion, House Bill No. 1895, on same subject, was substituted for Senate Bill No. 1858.

Senator Henry moved that Amendment No. 1 be withdrawn, which motion prevailed.

Senator Henry moved that **House Bill No. 1895** be placed on the final calendar, which motion prevailed.

Senator Crowe moved that **House Joint Resolution No. 579** be rereferred to the Committee on Calendar, which motion prevailed.

**Senate Bill No. 497** -- Child Custody and Support -- Sets limits on guidelines for establishing child support awards. Amends TCA Title 36, Chapter 5.

Senator Person moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting subdivision (4)(B) in Section 1 of the bill and redesignating the remaining subdivision accordingly.

On motion, the amendment was adopted by the following vote:

Ayes . . . . .	32
Noes . . . . .	0
Present, not voting . . .	1

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--32.

Senator present and not voting was: Burks--1.

Senator Person moved to amend as follows:

**AMENDMENT NO. 2**

AMEND by deleting the first sentence of subdivision (4)(A) in Section 1 and substituting instead the following language:

In addition to any other subtractions, calculations of net income under the guidelines shall take into consideration the support of any other children of the obligor.

On motion, the amendment was adopted by the following vote:

Ayes . . . . .	33
Noes . . . . .	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--33.

Senator Ford moved to amend as follows:

**AMENDMENT NO. 3**

AMEND by deleting from the bill as amended the following language from the amendatory language of Section 1:

(B) For cases where initial support is being set, the guidelines may not authorize a judgment to be entered that includes an amount due for monthly support from before the date that paternity is established.

On motion, the amendment was adopted by the following vote:

Ayes ..... 33  
Noes ..... 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--33.

Thereupon, **Senate Bill No. 497**, as amended, passed its third and final consideration by the following vote:

Ayes ..... 32  
Noes ..... 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--32.

A motion to reconsider was tabled.

**Senate Bill No. 942** -- Sunset Laws -- Commission on responsible fatherhood, June 30, 2005. Amends TCA Title 4, Chapter 29.

On motion, Senate Bill No. 942 was made to conform with **House Bill No. 1499**.

On motion, House Bill No. 1499, on same subject, was substituted for Senate Bill No. 942.

Senator Harper moved to amend as follows:

#### AMENDMENT NO. 1

AMEND by deleting Section 2 of the printed bill in its entirety and by substituting instead the following:

SECTION 2. (a) Notwithstanding the provisions of Section 4-29-112, or any other law to the contrary, the commission on responsible fatherhood, created by Section 3-15-901, shall terminate and shall cease all activities upon the effective date of this act.

(b) Tennessee Code Annotated, Title 3, Chapter 15, is amended by deleting Part 9 in its entirety.

On motion, the amendment was adopted by the following vote:

Ayes ..... 31  
Noes ..... 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--31.

Thereupon, **House Bill No. 1499**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . . 30  
Noes . . . . . 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Harper, Haynes, Henry, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--30.

A motion to reconsider was tabled.

**Senate Bill No. 1022** -- Disabled Persons -- Awards recycling grants from solid waste management fund to recycling centers if such facility employs persons with developmental disabilities. Amends TCA Section 68-211-825.

On motion, Senate Bill No. 1022 was made to conform with **House Bill No. 965**.

On motion, House Bill No. 965, on same subject, was substituted for Senate Bill No. 1022.

Senator Miller moved that Amendment No. 1 be withdrawn, which motion prevailed.

Thereupon, **House Bill No. 965** passed its third and final consideration by the following vote:

Ayes . . . . . 33  
Noes . . . . . 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--33.

A motion to reconsider was tabled.

#### MOTION

Senator Haynes moved that the rules be suspended for the immediate consideration of **House Bill No. 1806**, out of order, which motion prevailed.

#### FURTHER ACTION ON HOUSE BILL NO. 1806

Senator Fowler moved that Amendment No. 2 be withdrawn, which motion prevailed.

Thereupon, **House Bill No. 1806** passed its third and final consideration by the following vote:

Ayes . . . . . 33  
Noes . . . . . 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--33.

A motion to reconsider was tabled.

Senator Cooper moved that **Senate Bill No. 248** be rereferred to the Committee on Calendar, which motion prevailed.

**MOTION**

Senator Ford moved that Rule 83(8) be suspended for the purpose of placing **Senate Bill No. 412** on the calendar for the Committee on Finance, Ways and Means for Wednesday, May 28, 2003, which motion prevailed.

**MOTION**

Senator Dixon moved that the rules be suspended for the immediate consideration of **House Joint Resolution No. 642**, out of order, which motion prevailed.

**RESOLUTION LYING OVER**

**House Joint Resolution No. 642** -- Memorials, Recognition -- Methodist South Hospital, 30th anniversary.

On motion of Senator Dixon, the rules were suspended for the immediate consideration of the resolution.

On motion, **House Joint Resolution No. 642** was concurred in by the following vote:

Ayes .....	31
Noes .....	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, Miller, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--31.

A motion to reconsider was tabled.

**MOTION**

Senator Trail moved that the rules be suspended for the immediate consideration of **House Joint Resolution No. 660**, out of order, which motion prevailed.

**RESOLUTION LYING OVER**

**House Joint Resolution No. 660** -- Memorials, Congratulations -- Rutherford County 200th anniversary.

On motion of Senator Trail, the rules were suspended for the immediate consideration of the resolution.

On motion, **House Joint Resolution No. 660** was concurred in.

A motion to reconsider was tabled.

#### MOTION

Senator Burks moved that Rule 83(8) be suspended for the purpose of placing **Senate Joint Resolution No. 566** on the calendar for Wednesday, May 28, 2003, which motion prevailed by the following vote:

Ayes .....	31
Noes .....	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--31.

#### MOTION

Senator Kurita moved that the rules be suspended for the immediate consideration of **Senate Resolution No. 99**, out of order, which motion prevailed.

#### RESOLUTION LYING OVER

**Senate Resolution No. 99** -- Memorials, Interns -- Jennifer Ogg.

On motion of Senator Kurita, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Resolution No. 99** was adopted.

A motion to reconsider was tabled.

#### MOTION

Senator Cooper moved that Rule 83 be suspended for the purpose of allowing the Committee on Commerce, Labor and Agriculture to meet immediately after session to consider **Senate Bill No. 698**; furthermore, if the bill passes out of the committee, to be placed on the regular calendar for Wednesday, May 28, 2003, which motion prevailed.

#### NOTICE

Pursuant to Rule 44, notice was given that the following bills were returned from the House of Representatives amended. Under the rule, the bills lie over.



**MESSAGE FROM THE HOUSE**

May 27, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 172, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 27, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1472, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MOTION**

Senator Cooper moved that Rule 83(8) be suspended for the purpose of placing **Senate Bill No. 1686** on the calendar for the Committee on Finance, Ways and Means for Wednesday, May 28, 2003, which motion prevailed.

**MOTION**

Senator Kyle moved that Rule 39 be suspended for the purpose of allowing amendments to bills on the calendar for Wednesday, May 28, 2003, to be considered timely filed until 11:00 a.m., which motion prevailed.

**MOTION**

On motion of Senator Kilby, his name was added as sponsor of **Senate Bills Nos. 704, 1485 and 1487**.

On motion of Senator Graves, her name was added as sponsor of **House Joint Resolution No. 592**.

On motion of Senator McLeary, his name was added as sponsor of **House Joint Resolution No. 588; Senate Joint Resolution No. 214; and Senate Bill No. 731**.

On motion of Senator Burchett, his name was added as sponsor of **Senate Bill No. 704**.

On motion of Senator Ketron, his name was added as sponsor of **Senate Bills Nos. 12, 128, 704 and 1008; and House Joint Resolution No. 621**.

On motion of Senator Beavers, her name was added as sponsor of **House Joint Resolution No. 621**.

On motion of Senator Bryson, his name was added as sponsor of **House Joint Resolution No. 614 and Senate Bill No. 704**.

On motion of Senator Norris, his name was added as sponsor of **House Joint Resolutions Nos. 585, 589, 590, 599 and 616; and Senate Bill No. 1008.**

On motion of Senators Ramsey and Crowe, their names were added as sponsors of **House Joint Resolution No. 600.**

On motion, all Senators' names were added as sponsors of **Senate Joint Resolution No. 539.**

On motion of Senator Herron, his name was added as sponsor of **Senate Joint Resolutions Nos. 486, 596 and 598; and Senate Bills Nos. 12, 947 and 1371.**

On motion of Senator Trail, his name was added as sponsor of **House Joint Resolutions Nos. 617 and 618; and Senate Bill No. 1371.**

On motion of Senator Williams, his name was added as sponsor of **House Joint Resolutions Nos. 606, 607, 608, 609, 610, 611, 612, 613 and 615; and Senate Resolution No. 95.**

On motion of Senator McNally, his name was added as sponsor of **House Joint Resolutions Nos. 591, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613 and 615; and Senate Bill No. 1332.**

On motion of Senator Kurita, her name was added as sponsor of **House Joint Resolution No. 591; and Senate Bill No. 1371.**

On motion of Senator Burks, her name was added as sponsor of **House Joint Resolutions Nos. 189, 485, 586, 587 and 596; and Senate Bills Nos. 704, 1272, 1371 and 1485.**

On motion of Senator Cohen, his name was added as sponsor of **House Joint Resolutions Nos. 594, 598 and 599; and Senate Resolution No. 96.**

On motion of Senator Harper, her name was added as sponsor of **House Joint Resolution No. 598; and Senate Bill No. 349.**

On motion, all Senators' names were added as sponsors of **Senate Bill No. 1272.**

On motion, all Senators' names were added as sponsors of **Senate Bill No. 1371.**

On motion, all Senators' names were added as sponsors of **Senate Bill No. 1022.**

On motion of Senators Crowe and Fowler, their names were added as sponsors of **Senate Bills Nos. 12 and 1022.**

On motion of Senator Haynes, his name was added as sponsor of **House Joint Resolution No. 61.**

**ENGROSSED BILLS**

May 27, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Bills Nos. 497, 951, 952, 1024, 1812 and 2001; and Senate Joint Resolutions Nos. 214, 241 and 242; and find same correctly engrossed and ready for transmission to the House.

PATRICK W. MERKEL,  
Chief Engrossing Clerk.

**ENGROSSED BILLS**

May 27, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Joint Resolutions Nos. 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 539, 540, 541, 542, 543, 544 and 545; and find same correctly engrossed and ready for transmission to the House.

PATRICK W. MERKEL,  
Chief Engrossing Clerk.

**MESSAGE FROM THE HOUSE**

May 27, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 626, 1560 and 1742; substituted for House Bills on same subjects and passed by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 27, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 61, 924, 1090, 1127, 1372, 1444 and 1923; substituted for House Bills on same subjects and passed by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 27, 2003

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 809, 896 and 2125; passed by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 27, 2003

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 2123 and 2124, passed by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 27, 2003

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 158, 876, 1077, 1343 and 1386; passed by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 27, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 67, 81 and 321; concurred in by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 27, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479 and 480; concurred in by the House.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 27, 2003

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 401, 417, 640, 641, 642, 644, 645, 646, 647, 648, 649, 650, 652, 653, 654, 655, 656, 657, 658, 659, 660 and 661; adopted, for the Senate's action.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 27, 2003

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 75, 262, 530, 542, 628, 629, 631, 632, 633, 634, 635 and 637; adopted, for the Senate's action.

BURNEY T. DURHAM,  
Chief Clerk.

**ENROLLED BILLS**

May 27, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Bills Nos. 223, 437, 907 and 1647; and find same correctly enrolled and ready for the signatures of the Speakers.

PATRICK W. MERKEL,  
Chief Engrossing Clerk.

**MESSAGE FROM THE HOUSE**

May 27, 2003

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 580, 581, 582, 622 and 639; for the signature of the Speaker.

BURNEY T. DURHAM,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

May 27, 2003

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 66, 202, 214, 774, 837, 1001, 1676, 2030, 2072, 2110, 2111, 2115, 2116 and 2118; for the signature of the Speaker.

BURNEY T. DURHAM,  
Chief Clerk.

**SIGNED**

May 27, 2003

The Speaker announced that he had signed the following: Senate Bills Nos. 223, 437, 907 and 1647.

**SIGNED**

May 27, 2003

The Speaker announced that he had signed the following: House Bills Nos. 66, 202, 214, 774, 837, 1001, 1676, 1772, 2030, 2072, 2110, 2111, 2115, 2116 and 2118.

**SIGNED**

May 27, 2003

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 580, 581, 582, 622 and 639.

**REPORT OF COMMITTEE ON CALENDAR  
CONSENT CALENDAR #1**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Wednesday, May 28, 2003: House Joint Resolutions Nos.

**TUESDAY, MAY 27, 2003 -- 45TH LEGISLATIVE DAY**

583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 623, 624 and 626; Senate Joint Resolutions Nos. 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 539, 540, 541, 542, 543, 544 and 545; and Senate Resolutions Nos. 94, 95 and 96.

This the 27th day of May, 2003.  
CROWE, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR  
LOCAL BILL  
CONSENT CALENDAR**

Pursuant to Rule 26, the following bills have been set on the Consent Calendar for Wednesday, May 28, 2003: Senate Bills Nos. 2030, 2034, 2038, 2040 and 2041.

**SENATE  
MESSAGE CALENDAR**

Pursuant to Rule 44, notice has been given on the following bills and they have been set on the Message Calendar for Wednesday, May 28, 2003: House Bills Nos. 466 and 1946.

**ADJOURNMENT**

Senator Crutchfield moved the Senate adjourn until 3:00 p.m., Wednesday, May 28, 2003, which motion prevailed.